



Order Filed on September 18, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2 (c)

DAVIS LAW CENTER, LLC
Robert B. Davis, Esq. (NJ/001482005)
551 Summit Avenue
Jersey City, New Jersey 07306
Tel.: (973) 315-7566
Attorney Debtor

In Re
ANTONIO CAPOTE

Debtor(s)

Case No.: 16-24776

Chapter 13

Judge: RG

**ORDER GRANTING APPROVAL OF
DISTRIBUTION OF SETTLEMENT PROCEEDS
AND ATTORNEY FEES**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

DATED: September 18, 2017

A handwritten signature in black ink, appearing to read "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtors: Antonio Capote

Case No.: 16-24776 RG

Caption of Order: Order Approving Settlement and Disbursements

Upon the Motion of Debtor ANTONIO CAPOTE'S (hereinafter "Debtor") for and Order Approving the Settlement and Disbursement of Settlement Proceeds. The Court, having considered such motion, and for cause shown it is.

1. **THEREFORE, ORDERED** that the gross settlement amount of **\$40,000.00** is hereby, approved, and that the settlement proceeds be disbursed in accordance with "Exhibit A" attached to *Debtor ANTONIO CAPOTE'S Motion for Approval of Settlement and Disbursement of Settlement Proceeds*.
2. **IT IS FURTHER ORDERED** that per the breakdown provided by Special Counsel as of September 6, 2017 should have collected **\$35,000.00** from the Personal Injury Claim with a balance due to Debtor of **\$5,000.00**.
3. **IT IS FURTHER ORDERED** that Special Counsel may deduct **\$1,362.81** from the proceeds to pay the following expenses:

Vendor Expense	Amount
Hospital Rep	\$138.95
Treasurer State of NJ	\$250.00
Action Subpoena	\$52.95
Health Portfolio (medical bill)	\$16.91
Mehling Orthopedic	\$21.00
Dr. Riccardi	\$170.00
Dr. Dachaque (exam & report)	\$600.00
Dr. Dachaque (addendum)	\$100.00
Child support search	\$13.00
Total	\$1,362.81

4. **IT IS FURTHER ORDERED:** After expenses are paid, Special Counsel may deduct from the Settlement Proceeds his 30% contingency fee in the amount of **\$11,591.16**.
5. **IT IS FURTHER ORDERED:** that after the above described deductions are made, Debtor's remaining balance from the total amount Settlement Proceeds shall be **\$27,046.03**;
6. **IT IS FURTHER ORDERED** that the Special Counsel shall immediately tender **\$20,000.00** to the Standing Trustee from the escrowed funds he is holding in his

account, who shall then set up a claim in the amount of **\$20,000.00** for the Chapter 7 Trustee Donald Biase, less applicable Trustee commissions;

7. **IT IS FURTHER ORDERED** that the Standing Trustee be paid **\$20,000.00** from the net proceeds regardless of whether the instant case is dismissed
8. **IT IS FURTHER ORDERED** that the Special Counsel shall use the remaining funds to pay to Debtor exempt from the claims of creditors or Trustee.

In re:
Antonio Capote
Debtor

Case No. 16-24776-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 19, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 21, 2017.

db +Antonio Capote, 309 49TH STREET APT 3, Union City, NJ 07087-5132

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 21, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 19, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Karen B. Olson on behalf of Creditor Emigrant Residential LLC kbo@kkmlp.com, nmm@kkmlp.com
Karen B. Olson on behalf of Creditor Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2015-13ATT kbo@kkmlp.com, nmm@kkmlp.com
Marie-Ann Greenberg magecf@magnettrustee.com
Robert B Davis on behalf of Debtor Antonio Capote Rob@davislawcenterllc.com, rbdesq@gmail.com;r62529@notify.bestcase.com

TOTAL: 5